

REMARKS

I. INTRODUCTION

Claim 11 has been amended. Claims 13 and 16 have been cancelled. Therefore, claims 1-12, 14, 15 and 17-20 are now pending in the present application. No new matter has been added. In view of the above amendments and the following remarks, it is respectfully submitted that all of the pending claims are allowable.

II. CLAIM REJECTIONS – 35 U.S.C. § 112

Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph, for failing to provide proper antecedent basis for the limitation “the angular separation” in line 1 of the claim. (*See* 3/29/07 Office Action, p. 2.) Applicant notes that claim 10 does not recite the limitation “the angular separation,” and assumes that the Examiner intended this rejection to apply to claim 11, which depends from claim 10 and does recite the limitation “the angular separation.” In view of the amendment to claim 11, it is respectfully submitted that this rejection should be withdrawn.

III. CLAIM REJECTIONS – 35 U.S.C. § 101

Claims 13 and 16 stand rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. (*See* 3/29/07 Office Action, p. 2.) However, the rejections are moot, as claims 13 and 16 have been cancelled.

IV. CLAIM REJECTIONS – 35 U.S.C. § 102(b)

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,914,605 to Loughmiller, Jr. et al. (hereinafter “Loughmiller”). (See 3/29/07 Office Action, pp. 3-7.)

Loughmiller describes a computer hardware and software system for displaying a map of streets corresponding to an area over which a vehicle may move to assist a driver to navigate. The system displays the map on a display based on a scale-dependent street prioritization scheme, providing on the display a vehicle position symbol indicating the current position and heading of the vehicle and a moving map which moves in translation and rotation as the vehicle moves. The system selectively and dynamically labels streets on the display. (See Loughmiller, Abstract.)

Claim 1 recites “[a] method of labeling an image for display on a screen comprising the steps of retrieving the image, displaying the image rotated, and displaying first and second text labels on the image wherein each label identifies a part or feature of the image, and wherein the first text label is displayed in accordance with one labeling scheme, and the second text label is displayed in accordance with a different labeling scheme, *wherein said first and second text labels are orientated within a predetermined deviation from a horizontal reference of the image.*”

In contrast, Loughmiller discloses that text labeling of streets on the map display is oriented substantially parallel to the orientation of the corresponding street. (See *id.*, col. 5, ll. 11-13; col. 10, ll. 50-52; Figs. 3A-3J.) Loughmiller does not teach that “first and second text labels are oriented within a predetermined deviation from a horizontal reference of the image,” as recited in claim 1; rather, by stating, for example, that “labels are *always* displayed along and parallel to a street St,” Loughmiller teaches the opposite of claim 1. (*Id.*, col. 10, ll. 51-52;

emphasis added.) For example, the label “Elko” in figures 3D to 3G varies from a completely horizontal to a completely vertical orientation. (*See id.*, Figs. 3D-3G.)

The Examiner cites Figure 2-2 of Loughmiller, asserting that it “shows $Y_e'H_m$ as a 30 degree separation.” (*See* 3/29/07 Office Action, p. 4, ll. 1-2.) However, Applicant respectfully submits that the Examiner has misinterpreted Figure 2-2. The angle Y_e' does not represent a predetermined deviation, 30 degrees or otherwise, from a horizontal reference; rather, it shows the rotated Y axis of the current map window W, which is oriented with the current heading H_M of the vehicle. (*See* Loughmiller, col. 6, ll. 17-50.) Thus, while Fig. 2-2 shows the rotated axis Y' at a particular deviation from the horizontal, the orientation of the axis Y' can vary by a full 360 degrees about the translated origin (X_O, Y_O). Applicant submits that this variability is the exact opposite of a “predetermined orientation.”

The Examiner asserts that the parallel orientation described by Loughmiller and discussed above is a predetermined deviation from a horizontal reference, and that the rotation of the axes of the base map coordinate system by an angle $H_M - 90^\circ$ is a predetermined orientation. (*See* 3/29/07 Office Action, p. 8.) However, even if it were to be assumed, for the sake of argument, that a street label that is parallel to the street it describes, regardless of the direction the street is shown on the display, is a “predetermined deviation from a horizontal reference,” in that “parallel” is a predetermined rule that defines the orientation, a label that is *at* a predetermined orientation differs from a label that must be *within* a predetermined deviation from the horizontal. Applicant submits that interpreting the limitation “within a predetermined deviation from a horizontal reference” in such a manner as to allow it to encompass all possible orientations shown in Figs. 3D-3G of Loughmiller would render said limitation meaningless. Such an interpretation should therefore be rejected.

Further, the Examiner asserts that the limitation “wherein the first text label is displayed in accordance with one labeling scheme, and the second text label is displayed in accordance

with a second labeling scheme,” as recited in claim 1, is disclosed in column 4, lines 10-11 of Loughmiller, which discloses a “selective and dynamic labelling scheme.” (*See id.*, p. 3, ll. 19-23.) However, Applicant respectfully submits that the Examiner misinterprets Loughmiller to be disclosing two separate labeling schemes, one of which is selective and another of which is dynamic, when Loughmiller in fact discloses the use of a single labeling scheme that is both selective and dynamic. Thus, Loughmiller does not disclose ““wherein the first text label is displayed in accordance with one labeling scheme, and the second text label is displayed in accordance with a second labeling scheme,” as recited in claim 1.

Therefore, Applicant respectfully submits that Loughmiller does not disclose “wherein the first text label is displayed in accordance with one labeling scheme, and the second text label is displayed in accordance with a different labeling scheme, wherein said first and second text labels are orientated within a predetermined deviation from a horizontal reference of the image,” as recited in claim 1. Accordingly, the rejection of claim 1 should be withdrawn. Because claims 2-9 and 19 depend from, and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the reasons stated above.

Independent claim 10 recites “[a] method of labeling an image for display on a screen comprising the steps of retrieving the image, displaying the image rotated, and displaying a text label on the image rotated to one of a plurality of possible orientations relative to the rotated image, *wherein said text label is orientated within a predetermined deviation from a horizontal reference of the image.*”

For the reasons previously discussed with reference to claim 1, it is respectfully submitted that Loughmiller does not disclose “wherein said text label is orientated within a predetermined deviation from a horizontal reference of the image,” as recited in claim 10. Accordingly, the rejection of claim 10 should be withdrawn. Because claims 11, 12 and 20

depend from, and, therefore, include all of the limitations of claim 10, it is respectfully submitted that these claims are also allowable for at least the reasons stated above.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Please direct all future correspondence to:

Paul Im, Esq.
IP Counsel

Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9602
Fax: (914) 332-0615
Email: Paul.im@philips.com

Respectfully submitted,

Dated: May 22, 2007

By: 

Oleg F. Kaplun (Reg. No. 45,559)